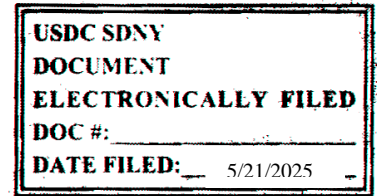


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DWAYNE FAULKNER,

Plaintiff,

24-CV-3145 (VSB) (VF)

-against-

ORDER

THE CITY OF NEW YORK, et al.,

Defendants.

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VALERIE FIGUEREDO, United States Magistrate Judge:

Plaintiff, proceeding *pro se*, recently filed an Amended Complaint adding James Flood, Paul Lestingi, Ross L Delvecchio, and John Benzan as defendants. ECF No. 30. Because Plaintiff has been granted permission to proceed *in forma pauperis*, he is entitled to rely on the Court and the U.S. Marshals Service to effectuate service.¹ Walker v. Schult, 717 F.3d. 119, n.6 (2d Cir. 2013); see also 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in [IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effectuate service on Defendants James Flood, Paul Lestingi, Ross L Delvecchio, and John Benzan, the Clerk of Court is directed to electronically notify the New York City Department of Corrections of this order. Defendant City of New York identified the newly named Defendants as employees of the New York City Department of Corrections. ECF

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effectuated service until the Court reviewed the amended complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

No. 20. The Court requests that Defendants James Flood, Paul Lestingi, Ross L Delvecchio, and John Benzan waive service. The Clerk of Court is respectfully directed to mail a copy of this order to Plaintiff.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Valerie Figueredo', written over a horizontal line.

VALERIE FIGUEREDO
United States Magistrate Judge

DATED: May 21, 2025
New York, New York